

# Official Minutes for Webb County Commissioners Court Meeting

Monday, September 8, 2003 at 1:30 P.M.  
and continuing Tuesday, September 9, 2003 @ 1:30 P.M.  
(Meeting was held only on September 8, 2003)  
(With corrections approved 09-22-2003 in bold and parenthesis)

- Item No. 1      Call to order by Judge Louis H. Bruni  
Let it be remembered that a regular meeting of the Webb County Commissioners Court was held at 1:30 p.m. at the regular meeting place with the following members present to wit:
- |                  |                      |
|------------------|----------------------|
| Louis H. Bruni   | County Judge         |
| Jerry Vasquez    | Commissioner, Pct. 1 |
| Judith Gutierrez | Commissioner, Pct. 2 |
| Felix Velasquez  | Commissioner, Pct. 3 |
| David Cortez     | Commissioner, Pct. 4 |
- Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 5 of September 2003. Present also were Ms. Nora Elia Prado, Deputy County Clerk representing Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.
- Item No. 2      Roll Call – Margie Ramirez Ibarra, Webb County Clerk
- Item No. 3      Pledge of Allegiance – Led by all
- Item No. 4      Approval of minutes for July 25, July 28, August 6, August 11 and August 25, 2003 meetings
- Cmr. Gutierrez motioned to approve minutes as submitted. Cmr. Velasquez seconded the motion.
- Motion carried 5-0 by unanimous consent.
- Item No. 5      Approval of bills, payroll and monthly reports
- Mr. Leo Flores, County Auditor, presented to the Court his monthly report and directed Court's attention to the revenues and expenditures, which currently stand at

Revenue collected 93% and revenue expended at 84%. He stated that the Sales Tax report has not been submitted but would be under budget.

Comr. Velasquez motioned to have court review report and have any questions or concerns addressed at next meeting. Comr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 6                      Communications

There were no communications by any member of the Court.

Item No. 7                      Public Comment

Judge Bruni stated that there were 6 people present to speak on Item No. 16 and that he would only allow one person to speak for the item and one person against for no more than three minutes each.

Comr. Gutierrez motioned to move up Item No. 16. Comr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 16                    Discussion and possible action to allow the Veterans Coalition to make recommendation on the appointment of the Veteran's Service Officer. (Co-Sponsored by Judith Gutierrez, Commissioner Precinct 2)

Mr. Richard Geissler was present to support the current procedure being used to appoint a Veterans Service Officer. He stated that under the Veterans Coalition, the veterans groups have been able to come together to figure out who would best serve their needs in the County.

Mr. Richard **(Rosell)** was present to address the Court in regards to Item No. 16. He stated that that Veterans Coalition is the link between local veterans, veterans' groups and local government agencies. He stated that process was put in place in 2000 and has been favored by veterans and veterans' groups.

Judge Bruni stated that unless the Veterans Coalition represented 100% of Webb County veterans, then he would not support item due they did not represent all veterans.

Comr. Velasquez motioned to hear from all Webb County veterans and evaluate Mr. Cantu during the regular evaluations next week. Comr. Cortez seconded the motion.

Comr. Gutierrez suggested changing the current policy if the Veterans Coalition would not be used in the selection of a Veterans Service Officer.

Motion carried 3-2 with Cmr. Vasquez and Cmr. Gutierrez voting against.

Judge Bruni stated for the record that there were 4 persons present against the process and 3 persons in favor signed up to speak.

Item No. 7                      Public Comments

Constable Raul Hinojosa, Constable Ruben Reyes, Constable Annette Munoz and Sgt. Castro (representing Constable Tino Juarez) were present to request the Court's support in raising the pay for 14 deputies so that their pay can be comparable to that of the Sheriff's department.

Cmr. Gutierrez motioned to move up Item No. 38 and No. 18. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 38                      Discussion and possible action to approve the equipment priority list recommended by the Webb County Domestic Preparedness Committee to be submitted to the Domestic Division of the Texas Engineering Extension Service by September 12, 2003 which will result in the purchase of equipment on the list in the priority order. The purchase of this equipment will be at no cost to the County. Base Grant Award \$113,153.00 Regional Grant Allocation \$100,000.00 Total Webb County Grant Award \$213,153.00

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Dr. Hector Farias approached the podium to address the Court in regards to Item No. 19. Judge Bruni advised Dr. Farias that item would be deferred and no discussion would be taken on item. Dr. Farias advised Court that he had signed up to speak and Judge Bruni allowed him three minutes to address the Court.

Item No. 7                      Public Comment

Dr. Hector Farias stated that he was totally against extending any contract regarding the golf course and felt that privatization of golf course should be bid out.

Judge Bruni stated that this was the end of today's public comment and that this section would be removed from the next agenda.

Item No. 18

Discussion and possible action to approve a four year contract with the Webb County Collective Bargaining Unit for the period covered between October 1, 2003 and September 30, 2007.

Cmr. Velasquez stated that he was chairman of this committee and recommended the approval of the contract. He stated that the contract allowed for an across the board cost-of-living increase of 2% for **(each of the four) years (and those qualifying for the "steps")**, 3% for the second year, 4% for the third year and 5% for the fourth year. He stated that the additional cost to the County would be \$3.1 million for the four years.

Cmr. Velasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Cmr. Cortez recommended that a 3% increase also be given to those individuals who would not qualify for the "step" increases.

Cmr. Cortez made a motion amendment to that effect.

Mr. Homero Ramirez, County Attorney, stated that he agreed with recommendation and stated that there were additional proposals brought by the Bargaining Committee as follows:

- Modifying the Sick Day buy back to a 1 to 1 ratio
- Implementing a clothing allowance for investigators
- Have degree incentive pay include all degrees not only Criminal Justice

Mr. Ramirez also advised Court that this would only be for the Sheriff's department, not the Constable's departments. Lieutenant Esteban Paez, President of the Sheriff's Bargaining Unit, stated that the contract would allow starting officers to be recognized as Officer I.

Judge Bruni seconded Cmr. Cortez's amendment.

Cmr. Velasquez stated that though he supported amendment, he would need to know the additional cost of this increase.

Motion carried 5-0 by unanimous consent. (Motion made by Cmr. Velasquez)

Five Minute Recess (2:49 p.m. to 3:03 p.m.)

Cmr. Gutierrez motioned to move up Item No. 8, No. 9, No. 10 and No. 11. Cmr. Vasquez seconded the motion.

Item No. 8

Discussion and possible action regarding the setting of salaries, expenses, and other allowances, of Webb County Elected Officials as per section

152.013, Texas Local Government Code and authorization to issue written notice to Elected Officials of their salary and allowances to be included in the Fiscal Year 2003-2004 Webb County Budget.

- Item No. 9      Public hearing on the proposed Webb County Budget for Fiscal Year 2003-2004, pursuant to Chapter 111, Texas Local Government Code.
- Item No. 10     Discussion and possible action on the adoption of the Webb County budget for Fiscal Year 2003-2004 pursuant to Chapter 111, Texas Local Government Code. The Court may make any modifications to the County Judge's proposed budget by majority vote.
- Item No. 11     Discussion and possible action regarding the adoption of the Webb County Tax Rate of .457923 per \$100 taxable valuation for tax year 2003 (Fiscal Year 2003-2004) pursuant to Chapter 26, Texas Property Code.

Cmr. Gutierrez motioned to approve Item No. 8 as submitted. Cmr. Velasquez seconded the motion with discussion.

Cmr. Velasquez requested that an additional fund be made so that the portion of his salary that he sets aside for park funds to show how much is being allotted. Mr. Leo Flores, County Auditor, stated that it could be done. Cmr. Cortez stated that he would like for the allowances and salaries for those elected officials that were lowered to be reinstated. Mr. Homero Ramirez, County Attorney, advised Court that if they wished to reinstate those salaries and allowances, they would need to post a notice for ten days of their intent and budget process would need to be tabled today due it could not be discussed or acted upon.

Cmr. Velasquez motioned to defer Item No. 8, No. 9, No. 10 and No. 11 to the next meeting. Cmr. Cortez seconded the motion.

Mr. Homero Ramirez, County Attorney, advised Board that he needed to know Court's intent in deferring items; if for reinstatement of salaries/allowances, then he and Mr. Eloy Ramirez, Purchasing Agent would need to be notified so that publication could be made. Cmr. Gutierrez stated that a budget workshop needed to be done so that department heads and elected officials could have an opportunity to discuss any budgetary concerns.

Motion to defer Item No. 8, No. 9, No. 10 and No. 11 carried 5-0 by unanimous consent.

Court members agreed to set Budget Workshop for Monday, September 15, 2003 at 1:30 p.m.

Item No. 12      Discussion and possible action to approve Interlocal Agreement between Webb County and the Webb County Rail Transportation District. This agreement would coordinate resources and staff on projects of mutual interest for the benefit of the citizens of Webb County.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Mr. Homero Ramirez, County Attorney, stated that a provision in the agreement would allow Webb County to provide additional funding. He stated that it also allow the District to re-pay any monies provided by the County when monies become available to them.

Motion carried 5-0 by unanimous consent.

Item No. 13      Discussion and possible action authorizing the Chief of Staff, Executive Administrator to the Commissioners Court and the Departments of Economic Development, Engineering, and Planning to initiate the creation of a Regional Mobility Authority (RMA) pursuant to the provisions of Chapter 316 of the Texas Transportation Code and 43 Texas Administrative Code, Chapter 26: said RMA to consist of the entirety of Webb County; and, any matter incident thereto.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Carlos Villarreal, Commissioners Court Executive Administrator, advised Court that the Governor of Texas would appoint a chairman for this mobility authority and the Commissioners Court would appoint two additional members.

Item No. 14      Discussion and possible action on the approval of a resolution authorizing the County of Webb to submit a loan application to the State Infrastructure Bank program administered by the Texas Department of Transportation in the amount of \$249,142 for preliminary activities related to the development of the Cuatro Vientos Road Extension Project.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Carlos Villarreal, Commissioners Court Executive Administrator, stated that this loan was necessary to formulate necessary studies and debt service would be responsibility of Webb County Rural Rail Transportation District.

- Item No. 15      Discussion and possible action on the approval of an order authorizing the issuance of "Webb County, Texas Certificates of Obligation, Series 2003" and authorizing other matters related thereto.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion with discussion.

Court was advised that the sale of the Certificates would begin on Tuesday, September 16<sup>th</sup> and would close approximately 30 days later (Mid October). Mr. Carlos Villarreal, Commissioners Court Executive Administrator, stated that agenda item to sell bonds would be the first item on Monday's agenda for Court approval.

Motion carried 5-0 by unanimous consent.

- Item No. 17      Discussion and possible action on the approval of a line item transfer in the amount of \$1,302.00 from account #001-0106-5001 Payroll – Building Maintenance to account # 001-1110-5001 Payroll – District Clerk. This transfer is to cover the cost of salary adjustments for Fiscal Year 2002-2003 to slot #286 and slot #1751 previously approved on April 14, 2003. (Employees with 15 years of service to Webb County)

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 19      Discussion and possible action to approve a modification to the existing contract with the Golf Course Operator, effective October 1, 2003, and for the remaining years on the contract.

Mr. Homero Ramirez, County Attorney, stated that he expected to have a resolution on the proposal by the 22<sup>nd</sup> of September and that it would take approximately 45 days for Mr. Ramos to take over additional duties.

Cmr. Velasquez motioned to defer item. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 20      Discussion and possible action to create a Human Resource Department for the County of Webb, effective January 1, 2004.

Cmr. Velasquez stated that he believed that department was necessary to allow for a centralized department that could handle personnel concerns and assist in the interviewing and hiring of prospective employees. He stated that the benefits outweighed the disadvantages. He recommended that the Risk Management department be placed under this department. Cmr. Gutierrez expressed concerns about the cost to set up a new department and stated that the Risk Management Department is integral to the County.

Cmr. Velasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 3-2 with Cmr. Vasquez and Cmr. Cortez voting against.

Cmr. Velasquez stated that if department is not funded, it would automatically close.

Item No. 21 Discussion and possible action to increase the fees for Records Archive Management from ONE DOLLAR (\$1.00) per document to FIVE DOLLARS (\$5.00) per document and ordering that this fee be set and itemized in the county's budget pursuant to Sec. 118.025(b), Local Government Code.

Court was advised that item needed to be discussed at same time as budget.

Cmr. Gutierrez motioned to defer item. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 22 Discussion and possible action to authorize or rescind the collection of \$1.50 for the Child Safety Fund under the provisions of the Texas Transportation Code, section 502.173. [For fiscal year 2003, the County will collect approximately \$153,000 of which the City of Laredo will receive \$140,000 (91.5%) with the remaining 8.5% to be distributed between the County (\$5,890), Rio Bravo (\$4,406) and El Cenizo (\$2,704)].

Cmr. Vasquez motioned to authorize collection of \$1.50 for the Child Safety Fund. Cmr. Velasquez seconded the motion for discussion.

Ms. Patricia Barrera, County Tax Assessor Collector, advised Court that 10% of the fees collected are being used by her office to pay for the AS 400 system purchased for this purpose. She stated that if the court did not take action on this item, the fee would automatically continue to be applied for the next fiscal year.

Motion carried 5-0 by unanimous consent.

Cmr. Velasquez stepped out.



- Item No. 23      Discussion and possible action authorizing the submission of a grant application to the State of Texas, Texas Department of Human Resources, for "Participation in CCAD Services" requesting approximately \$580,000 to provide home-delivered meal services through the Webb County Community Action Agency "Meals on Wheels" Program, and authorizing the County Judge to execute all relevant documents. [Requested by Community Action Agency]
- Item No. 24      Discussion and possible action to execute a lease between Webb County and Beatriz Cruz for the Property situated at 3520 Monterrey, in Laredo, Webb County, Texas for use as a Head Start Program Center for a term of one (1) year commencing on September 1, 2003 and ending on August 31, 2004, and at a monthly rental of EIGHT HUNDRED AND THIRTY THREE DOLLARS AND FORTY NINE CENTS (\$833.49), and authorizing the County Judge to execute any and all relevant documents. [(Account #903-4208-6012 Space Rental) Head Start Program]
- Item No. 25      Discussion and possible action to execute a lease between Webb County and Church of Christ in Christian Union for the Property situated at 3301 Main, in Laredo, Webb County, Texas for use as a Head Start Program Center for a term of one (1) year commencing on July 1, 2003 and ending on June 30, 2004, and at a monthly rental of ONE THOUSAND ONE HUNDRED AND NINETY FIVE DOLLARS AND ONE CENT (\$1,195.01), and authorizing the County Judge to execute any and all relevant documents. [(Account #903-4208-6012 Space Rental) Head Start Program]
- Item No. 26      Discussion and possible action to execute a lease between Webb County and George Royle Wright for the Property situated at 1118 Constantinople, in Laredo, Webb County, Texas for use as a Head Start Program Center for a term of one (1) year commencing on September 1, 2003 and ending on August 31, 2004, and at a monthly rental of NINE HUNDRED DOLLARS (\$900.00), and authorizing the County Judge to execute any and all relevant documents. [(Account #903-4208-6012 Space Rental) Head Start Program]
- Cmr. Gutierrez motioned to approve Item No. 23, No. 24, No. 25 and No. 26 as submitted. Cmr. Cortez seconded the motion.
- Motion carried 4-0 with Cmr. Velasquez not present for voting.
- Item No. 27      Discussion and possible action to enter into a medical health service agreement with Dr. Avelino Alvarez for children enrolled in the Webb County Head Start Program for period of one year at fees set forth in the agreement and ordering an exemption from section 262.023 Local Government Code

(Competitive Bidding and Competitive Proposal Requirements) and authorizing the County Judge to execute all relevant documents. [Account #903-4208-6218 Medical/Dental Exams Requested by Head Start]

- Item No. 28 Discussion and possible action to enter into a speech therapy service agreement with Haydee M. Gonzalez, M.A., CCC-SLP, for children enrolled in Webb County Head Start Program for period of one year at fees set forth in the agreement and ordering an exemption from section 262.023 Local Government Code (Competitive Bidding and Competitive Proposal Requirements) and authorizing the County Judge to execute all relevant documents. [(Account #903-4208-6075 Speech Therapy) Requested by Head Start]

Cmr. Vasquez motioned to approve Item No. 27 and No. 28 as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 4-0 with Cmr. Velasquez not present for voting.

- Item No. 29 Discussion and possible action to enter into an interlocal agreement with the City of Laredo for fire protection, emergency medical, and rescue services for the unincorporated areas of Webb County for a two year period beginning October 1, 2003 through September 30, 2005 at an annual cost of \$600,000.00 (payable in monthly installments of \$50,000.00) and authorizing the County Judge to sign all relevant documents. (Account #001-4300-7437 Fire Protection & EMS Service)

Cmr. Gutierrez motioned to defer item. Cmr. Vasquez seconded the motion.

Judge Bruni requested that Mr. Carlos Villarreal, Commissioners Court Executive Administrator, check into why the cost was raised from the \$450,000 that was paid last year.

Motion carried 4-0 with Cmr. Velasquez not present for voting.

Cmr. Velasquez returned.

- Item No. 30 Discussion and possible action to enter into an interlocal agreement with the City of Laredo for Health Services for the residents of Webb County for a one year period beginning October 1, 2003 through September 30, 2004 for an annual cost of \$150,000 and authorizing the County Judge to sign all relevant documents. (Account #001-4300-7404 City Health Contract)

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 31      Discussion and possible action to enter into an amendment to the interlocal agreement with the City of Laredo for Health Services for the residents of Webb County for a one year period beginning October 1, 2003 through September 30, 2004 for an annual cost of \$65,000.00 to support services offered by the City of Laredo's "La Familia" Primary Health Care Program, which offers primary and preventative health services to patients with diabetes, high cholesterol, and high blood pressure, cancer screening, nutritional counseling, and authorizing the County Judge to sign all relevant documents. (Account #001-4300- 7404 City Health Contract)

Cmr. Gutierrez motioned to table item. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 32      Discussion and possible action to enter into an architectural services agreement with Sepulveda Associates Architects, Inc. for the design of a "Records Management Facility" at a cost of 10% of construction cost plus 20% reimbursable (cost plus 20%) including but not limited to, civil engineering, landscaping, communications, environmental-asbestos abatement, acoustical, security, fiber optics and video disciplines and authorizing the County Judge to sign all relevant documents. (Account #685-0116-6022 Professional Services)

Cmr. Vasquez motioned to approve item with a 10% reimbursable cost. Cmr. Gutierrez seconded the motion.

Mr. Tomas Rodriguez, Engineering Department, requested that the Court reduce the 20% reimbursable to 10% since it is the standard.

Motion failed 2-3 with Judge Bruni, Cmr. Velasquez and Cmr. Cortez voting against.

Cmr. Velasquez motioned to set the reimbursable costs to 5%. Cmr. Gutierrez seconded the motion.

Mr. Homero Ramirez, County Attorney, advised Court that if they are unable to come to an agreement with a bidder, they would go with the next bidder in line. He stated that there is no cap on reimbursable costs.

Motion carried 3-2 with Cmr. Vasquez and Cmr. Cortez voting against.

Dr. Hector Gonzalez, Director of the City of Laredo Health Department, invited the Court to the Annual Dos Laredo's Conference.

- Item No. 33      Discussion and possible action to enter into a one (1) year (September 1, 2003 through August 31, 2004) grant contract (number RPT 0402(22)) with the State of Texas, Texas Department of Transportation, for the "El Aguila" Rural Transportation Department, and authorizing the County Judge to execute all relevant documents. The State is awarding Webb County THREE HUNDRED AND SEVENTY THOUSAND NINE HUNDRED AND SEVEN DOLLARS (\$370,907) under the Grant agreement [Requested by the Community Action Agency Rural Transportation Department]

Cmr. Vasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 34      Discussion and possible action to authorize the County Attorney to begin discussions and negotiations for an Interlocal Agreement with taxing entities within Webb County to consent to the County's resale of tax foreclosed property which has been struck/bid off to the County as Trustee for the taxing entities and any matters incident thereto.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 35      Discussion and possible action to enter into non-financial interlocal cooperative agreements with the Laredo Community College, for the Child Development Department, beginning September 1, 2003 through August 31, 2004, and authorizing the County Judge to execute all relevant documents. [Requested by Head Start}

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 36      Discussion and possible action to amend or modify the "contract of employment" with the Law Office of Ramon Garcia, P.C., or take other action as deemed appropriate by the Commissioners Court.

Judge Bruni advised Court and public that item had been placed on Addendum as Executive Session item.

Cmr. Gutierrez motioned to defer item to Executive Session. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 37 Discussion and possible action to enter into agreement with Texas General Contractor's Inc., to perform remedial construction services at Life Downs Complex located on Highway 59 and authorization for County Judge to execute all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Mr. Carlos Villarreal, Commissioners Court Executive Administrator, advised Court that this was to dear demolished and unsafe areas at a cost of \$146,746.71. He stated that there would be an additional cost of \$2,000 (bond) that would be reimbursable.

Motion carried 5-0 by unanimous consent.

Item No. 39 Discussion and possible action authorizing the purchasing agent to solicit a Request for Proposals (RFP) for "Service Provider" as required by the Texas Department of Housing and Community Affairs (TDHCA), Office of Colonia Initiatives (OCI) for the proposed Fiscal Years 2004 and 2005 – Self Help Center Program (Webb County Community Action Agency is currently the "Service Provider" for the Webb County Self- Help Center Program through November 9, 2003. The New Self-Help Center contract is scheduled to be effective November 10, 2003 thru November 9, 2005).

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 40 Discussion and possible action on the approval of the following line item transfers in the amount of \$4,400.00. [El Cenizo Community Center]

FROM:

Account 001-6101-6201	Utilities	\$4,000.00
Account 001-6101-6205	Material & Supplies	400.00

TOTAL: \$4,400.00

TO:

Account 001-6101-6401	Repair & Maintenance-Building	\$4,000.00
Account 001-6101-6502	Janitorial Supplies	400.00
		TOTAL \$4,400.00

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 41 Discussion and possible action on the approval of a line item transfer in the amount of \$900.00. [Rio Bravo Community Center]

FROM:		
Account 001-6105-6201	Utilities	\$500.00
Account 001-6105-6205	Material & Supplies	400.00
		TOTAL: \$900.00
TO:		
Account 001-6105-6401	Repair & Maintenance-Building	\$500.00
Account 001-6105-6502	Janitorial Supplies	400.00
		TOTAL: \$900.00

Cmr. Vasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 42 Discussion and possible action on the approval of the following line item transfers in the amount of \$18,000.00 from Fund #010 Road & Bridge.

FROM:		
Account #7002-6205	Materials & Supplies	\$10,000.00
Account #7002-6011	Training & Education	2,000.00
Account #7002-6202	Uniforms	6,000.00
		TOTAL: \$18,000.00
TO:		
Account #7002-6403	Repair & Maintenance-Vehicles	\$10,000.00
Account #7002-6014	Equipment Rental	2,000.00
Account #7002-6224	Minor Apparatus & Tools	6,000.00
		TOTAL: \$18,000.00

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion with discussion.

Mr. Tomas Rodriguez, Engineering Department, stated that this was a transfer from one department to another.

Motion carried 5-0 by unanimous consent.

- Item No. 43      Discussion and possible action on the approval of the following line item transfer in the amount of \$6,000.00 from Fund #801 Water Utilities.

FROM:

Account #3001-6004	Telephone	500.00
Account #3001-6005	Postage	2,000.00
Account #3001-6007	Dues & Memberships	500.00
Account #3001-6011	Training & Education	1,000.00
Account #3001-6094	Lease Purchase Interest	2,000.00

TOTAL: \$6,000.00

TO:

Account# 3001-6201	Utilities	6,000.00
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- Item No. 44      Discussion and possible action awarding the bid to Ramos Industries, Inc., in the amount of \$4,399,326.00 for the construction of 850,000 gallons per day expansion of the existing 650,000 gallons per day Waste Water Treatment Plant. This will upgrade the existing plant to 1,500,000 gallons per day. This action is subject to Texas Water Development Boards' approval. [Funding sources: Texas Water Development Board Grant and Loan and Certificates of Obligation Series 2003]
- Item No. 45      Discussion and possible action awarding the bid to Ramos Industries, inc., in the amount of \$1,240,540.00 for the installation of a Waste Water system on the north side of El Cenizo, three lift stations and one force main connecting to the Regional Wastewater Treatment Plant. [Funding sources: Texas Water Development Board Grants]
- Item No. 46      Discussion and possible action awarding the bid to Jimmy Closner & Sons Construction Co. in the amount of \$1,026,693.97 for the replacement of 2", 4" & 6" Water Lines with 8" and the installation of Fire Hydrants in Rio Bravo. [Funding source: Texas Water Development Board Grant]
- Item No. 47      Discussion and possible action awarding the bid to Jimmy Closner & Sons Construction Co. in the amount of \$1,469,768.00 for the replacement of 2", 4", & 6" Water Lines with 8" and the installation of Fire Hydrants in El Cenizo. [Funding source: Texas Water Development Board Grants]
- Item No. 48      Discussion and possible action awarding the bid to Satterfield & Ponikes Construction, Inc., in the amount of \$11,650,000.00 for the construction of a 2.4 million gallon per day Water Treatment Plant. This project will provide a

new plant that will meet state and federal rules and regulations for the next twenty (20) years. This action is subject to Texas Water Development Boards' approval. [Funding sources: Texas Water Development Board Grant and Loan and Certificates of Obligation Series 2003]

Item No. 49      Discussion and possible action awarding the bid to Cardwell Tanks, Inc., in the amount of \$496,000.00 for the installation of an Elevated Tank inside the City of El Cenizo, three lift stations and one force main connecting to the Regional Wastewater Treatment Plant. [Account #610-8006-8801-11 Capital Outlay - Water]

Item No. 50      Discussion and possible action amending the contract with Mr. Stephen R. Gibson of Gibson Gonzalez Associates in the amount of \$15,000.00 per month plus traveling expenses for the preparation, submittal and securing the presidential permit for Webb County International Bridge. The term of this amended contract is six months. [Fund 625 – International Bridge #5]

Cmr. Gutierrez motioned to approve Item No. 43, No. 44, No. 45, No. 46, No. 47, No. 48, No. 49 and No. 50 as submitted. Cmr. Velasquez seconded the motion with discussion.

Cmr. Velasquez inquired as to funding source for Item No. 44 due it was not listed in Certificates of Obligation but shows that as funding source. Mr. Tomas Rodriguez, Engineering Department, stated that the Water Development Board allowed Webb County to submit a resolution as commitment for the \$650,000 and bonds for this project would not be sold until 2004 because they would not be used until then.

Motion carried 4-1 with Cmr. Cortez voting against No. 50 only.

Item No. 51      Presentation by Indigent Health Care Department as to status of Indigent Health Care and discussion and possible action for additional funding for Indigent Health Care in the amount of \$600,000 and Indigent Burials in the amount of \$15,000 and any other matters incident thereto.

Mr. Frank X. Salinas, Deputy Director, advised Court that approximately \$600,000 would be needed in order to finish out the year according to average monthly expenditures. He stated that this program was established as a never ending program with a perpetual obligation to provide services. He stated that that State requires counties to pay up to \$30,000 or 30 in-patient hospital days per year per eligible client. Cmr. Cortez advised Court that Mr. Carlos Villarreal, Mr. Frank Salinas and Mr. Mike Trevino would be meeting at a later time to discuss alternate options. He stated that they are working to try and minimize expenditures and verify how often clients are seeing their physicians. Mr. Carlos Villarreal, Commissioners Court Executive Administrator, stated that if a "gatekeeper" system were to be used, it



could keep the program in check. He stated that they would be looking at other options and come before the court at a later time.

Cmr. Gutierrez motioned to defer item. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Homero Ramirez, County Attorney, advised Court that additional action needed to be taken on Item No. 37.

Cmr. Gutierrez motioned to move up Item No. 37. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 37 Discussion and possible action to enter into agreement with Texas General Contractor's Inc., to perform remedial construction services at Life Downs Complex located on Highway 59 and authorization for County Judge to execute all relevant documents.

Mr. Homero Ramirez, County Attorney, stated that order to exempt from competitive bidding needed to be done due work needs to be started immediately. He stated that this complied with requirements to exempt from competitive bidding due to unforeseen damage to public property.

Cmr. Gutierrez motioned to exempt item from competitive bidding. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 52 Discussion and possible action to issue "Certifications Regarding compliance with Plat Requirements and the Connection of Utilities" to authorize utility connections to the following properties:

Connection(s) qualifying under Section 232.029 (i);  
1. Block 6, Lot 14, Pueblo Nuevo Subdivision, (Electricity-one dwelling only).  
2. Block 11, Lot 63, Colorado Acres Subdivision, (Electricity-one dwelling only)  
3. Tract 60, Rancho Penitas West Subdivision, Unit IX, (Electricity-one dwelling only to this property and conditioned upon the disconnection/removal of any other electrical service to a dwelling on this property.)

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 53      Discussion and possible action to itemize and set fees by Order for Floodplain Development Permits and Road Permits pursuant to the provisions of Section 16.324, Texas Water Code and Section 251.017, Texas Transportation Code.

Ms. Rhonda Tiffin, Planning Department, advised Court that this item needed to be acted on at the same time as budget. She requested that item be deferred.

Cmr. Gutierrez motioned to defer item. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 54      Discussion and possible action to authorize the Purchasing Agent to retain services of New World Systems to provide Training Support Service (Integrated Inventory) in the amount of \$5,000.00. [001-0600-6022 Professional Services]

Item No. 55      Discussion and possible action to authorize the purchasing agent to purchase food trays and insulated beverage containers for the Law Enforcement Center from Cooks Correction Kitchen Supplies in the amount of \$5,827.00. [Account # 001-2062-6205 Material & Supplies]

Item No. 56      Discussion and possible action to authorize the Purchasing Agent to retain the services of Transtate Security System to install a burglar alarm system for Rio Bravo Community Center in the amount of \$2,500.00 and El Cenizo Community Center in the amount of \$2,514.95. [Account #001-0105-9201 Claims Paid-Property]

Item No. 57      Discussion and possible action to authorize the Purchasing Agent to retain the services of Martinez Fence Company to install security fence at the Rio Bravo Community Center in the amount of \$5,000.00 and El Cenizo Community Center in the amount of \$5,985.00. [Account #001-0105-9201 Claims Paid-Property]

Cmr. Vasquez motioned to approve Item No. 54, No. 55, No. 56 and No. 57 as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Homero Ramirez, County Attorney, advised Court that they could only go into Executive Session for Item No. 58 at this time. He stated that Addendum Item No. 1 could not be discussed until after 5:30 p.m. due that is the time that it was posted at.

Ms. Patricia Barrera, County Tax Assessor Collector, requested that the Court remove her from the Grievance Committee for the incoming year.

EXECUTIVE SESSION (4:50 p.m. to 5:27 p.m.)

Judge Bruni called meeting to order and stated that no action was taken during Executive Session.

- Item No. 58      Discussion and possible action to appoint members of the Webb County Employee Grievance Committee pursuant to Section 14.04 of the Webb County Personnel Policies Manual, to set the terms of those members, and any related matters. [Requested by the County Judge] Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)

Cmr. Gutierrez motioned to table Item No. 58. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Gutierrez motioned to move into Executive Session to discuss Addendum Item No. 1. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

EXECUTIVE SESSION (5:30 p.m. to 6:09 p.m.)

Judge Bruni called meeting to order and stated that no action was taken during Executive Session.

- Addendum  
Item No. 1

Discussion and possible action to amend or modify the "contract of employment" with the Law Office of Ramon Garcia, P.C., or take other action as deemed appropriate by the Commissioners Court. (Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney))

Cmr. Gutierrez motioned to table item. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 59      Adjournment

Cmr. Velasquez motioned to adjourn meeting. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.